UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, v. JUAN CARDENAS, Defendant.	)	2:11-CR-414-PMP (RJJ)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on February 1, 2012, defendant JUAN CARDENAS pled guilty to Count One of a Two-Count Criminal Indictment charging him with Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 21, United States Code, Section 846 and 841(a)(1). Docket #22, #49.

This Court finds defendant JUAN CARDENAS agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and in the Plea Memorandum. #22, #49.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the Plea Memorandum and the offense to which defendant JUAN CARDENAS pled guilty.

The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(1) and 853(a)(2); Title 18, United States Code, Section 924(d)(1), (2)(C) and (3)(B) and Title

28, United States Code, Section 2461(c); and Title, 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c).

a. a Smith & Wesson model 659, .9mm semiautomatic pistol, serial number TBL8273;

b. any and all ammunition; and

c. $640.00 in United States Currency ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of JUAN CARDENAS in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

MICHAEL A. HUMPHREYS
Assistant United States Attorney
DANIEL D. HOLLINGSWORTH

Assistant United States Attorney
Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

DATED this _3rd day of February, 2012.

UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the following individuals were served with a copy of the foregoing Preliminary Order of Forfeiture on February 3, 2012, by the below identified method of service:

CM/ECF:

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/s/ Elizabeth Baechler-Warren
Elizabeth Baechler-Warren
Forfeiture Support Associate Paralegal